

## NASHVILLE, TENNESSEE

**September 14, 2001**

**IN RE:**

**PETITION OF SPRINT COMMUNICATIONS  
COMPANY L.P. FOR ARBITRATION WITH  
BELLSOUTH TELECOMMUNICATIONS, INC.  
PURSUANT TO SECTION 252(b) OF THE  
TELECOMMUNICATIONS ACT OF 1996**

**DOCKET NO.**  
**00-00691**

## ORDER GRANTING JOINT MOTION TO CANCEL HEARING AND ACCEPT TESTIMONY ON CERTAIN ISSUES

This matter is before the Pre-Arbitration Officer of the Tennessee Regulatory Authority (“Authority”) upon the Petition of Sprint Communications Company L.P. (“Sprint”) for Arbitration with BellSouth Telecommunications, Inc. (“BellSouth”) pursuant to Section 252(b) of the Telecommunications Act of 1996.

Pursuant to the September 4, 2001 *Notice of Filing*, Sprint and BellSouth filed with the Authority a proposed “order of witness” list on September 11, 2001, and with leave of the Pre-Arbitration Officer, filed a *Revised Joint Issues Matrix* on September 12, 2001. As stated in the *Revised Joint Issues Matrix*, the parties agreed to request that Issue Nos. 22, 23, 24, 25 and 26 relative to performance measures be deferred to the generic performance measurements docket (Docket No. 01-00193). In their September 12, 2001 cover letter, the parties further agreed to stipulate pre-filed testimony into the record and waive cross examination on Issue No. 4, relative to UNE combos, and Issue No. 6, relative to EELS. Therefore, testimony at the hearing was to be limited to Issue Nos. 3, 7, 16, 17, 18, 29, 43 and 45(b), (c).

On September 13, 2001, Sprint and BellSouth telephonically notified the Pre-Arbitration Officer that Issue Nos. 3, 7, 16, 17, 18, 29, 43 and 45(b), (c) had been settled. The parties agreed that live testimony would not be necessary for the remaining unresolved issues and requested that the Hearing scheduled for September 18 and 19, 2001 be canceled.

On September 14, 2001, the parties filed a *Joint Motion of Sprint Communications Company L.P. and BellSouth Telecommunications, Inc. to Cancel Hearing and Accept Testimony on Certain Issues* ("Joint Motion") which reiterated and memorialized their requests of September 12 and 13, 2001. To address unresolved Issue Nos. 4 and 6, the parties requested that their stipulation be approved and that the following specific pre-filed testimony be admitted into the record without cross-examination or objection:

Sprint witness Melissa Closz's direct testimony from page 4, line 7 through page 11, line 4;

BellSouth witness John Ruscilli's direct testimony from page 7, line 9 through page 15, line 6, and his rebuttal testimony from page 6, line 6 through page 9, line 19.

The parties then proposed to file briefs on Issue Nos. 4 and 6 no later than October 9, 2001.

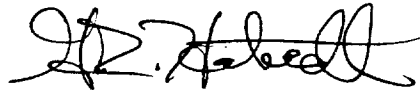
For cause shown, the Pre-Arbitration Officer grants in its entirety the Joint Motion of Sprint and BellSouth.

**IT IS THEREFORE ORDERED THAT:**

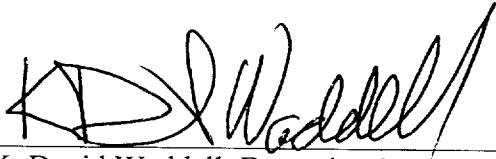
1. The Arbitration Hearing scheduled for September 18 and 19, 2001 is canceled;
2. By agreement of the parties, Issue Nos. 22, 23, 24, 25 and 26 are deferred to the generic performance measurements docket (Docket No. 01-00193);

3. The stipulation relative to Issue Nos. 4 and 6 is approved, and the specific pre-filed testimony as set out in this Order is admitted into the evidentiary record without cross-examination or objection; and

4. Briefs on Issue Nos. 4 and 6 are to be filed no later than October 9, 2001.



Gary R. Hotvedt, Pre-Arbitration Officer



K. David Waddell, Executive Secretary